

GENERAL ORDERS, }
No. 34. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, February 6, 1863.

I.. At a General Court Martial, which convened at Fort Hamilton, New York harbor, on the 25th day of November, 1862, pursuant to War Department "Special Orders," Nos. 232, of September 10th, 1862. and 267, of September 29, 1862, and of which Colonel G. LOOMIS, 5th U. S. Infantry, was President, was arraigned and tried—

Captain *Joab Wilkinson*, 12th U. S. Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification—"In this; that the said Captain *Joab Wilkinson*, 12th U. S. Infantry, did, in a public bar-room, mingle and drink with a crowd of private soldiers. This at Fort Hamilton, New York Harbor, on or about the 23d day of September, 1862."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

After mature deliberation upon the evidence adduced, the Court finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Captain *Joab Wilkinson*, 12th U. S. Infantry, "*To be suspended from rank, pay, and emoluments for two years.*"

II.. Before the same Court, Captain *Joab Wilkinson*, 12th Infantry was arraigned and tried on the following additional charges and specifications:

CHARGE 1st.—"Neglect of duty."

Specification—"In this; that the said Captain *Joab Wilkinson*, 12th U. S. Infantry, at the town of Springfield, in the State of Illinois, on recruiting service for said regiment, neglected to forward the returns and reports he was required, by the "Regulations," to the Superintendent of the Recruiting Service and to the Adjutant General."

CHARGE 2d.—"Conduct unbecoming an officer and a gentleman."

Specification 1st—"In this; that the said Captain *Joab Wilkinson*, 12th U. S. Infantry, was in the habit of drinking at the public bar with the recruits he had enlisted. All this at Springfield, Illinois, from about the 20th of March, 1862, to the first day of June, 1862."

Specification 2d—"In this; that the said Captain *Joab Wilkinson*, 12th Infantry, U. S. Army, was lying drunk and asleep, in the day-time, with his uniform coat on, on a public street in the town of Springfield, Illinois, in front of a restaurant, partly on the doorstep and partly on the pavement. This at Springfield, in the State of Illinois, in the day-time, about the 15th day of May, 1862."

Specification 3d—"In this; that the said Captain *Joab Wilkinson*, 12th U. S. Infantry, while in a state of intoxication, did conduct himself in so disorderly a manner that he was arrested by the constable or marshal, and confined in the calaboose, or common jail, until the next day, when he was fined and released. All this at Jacksonville, Illinois, on or about the 20th day of May, 1862."

CHARGE 3d.—"Violation of the 36th Article of War."

Specification—"In this; that the said Captain *Joab Wilkinson*, 12th U. S. Infantry, did sell or give away to some person *not a soldier*, whose name is unknown, a part of the clothing belonging to the United States, which had been turned over to him for issue to recruits. All this at Springfield, Illinois, from about the 20th of March, 1862, to the 1st day of June, 1862."

To which charges and specifications the accused pleaded as follows:

To the *Specification*, 1st Charge, "Not Guilty."

To the 1st CHARGE, "Not Guilty."

To the 1st *Specification*, 2d Charge, "Guilty."

To the 2d *Specification*, 2d Charge, "Not Guilty."

To the 3d *Specification*, 2d Charge, "Not Guilty."

To the 2d CHARGE, "Not Guilty."

To the *Specification*, 3d Charge, "Not Guilty."

To the 3d CHARGE, "Not Guilty."

FINDING.

The Court, after mature deliberation upon the evidence adduced, finds the accused as follows:

Of the *Specification* of 1st Charge, "Guilty."

Of the 1st CHARGE, "Guilty."

Of the 1st *Specification*, 2d Charge, "Guilty."

Of the 2d *Specification*, 2d Charge, "Guilty, except the words 'with his uniform coat on.'"

Of the 3d *Specification*, 2d Charge, "Guilty."

Of the 2d CHARGE, "Not Guilty, but guilty of conduct highly prejudicial to good order and military discipline."

Of the *Specification*, 3d Charge, "Not Guilty."

Of the 3d CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Captain *Joab Wilkinson*, 12th U. S. Infantry, "*To be dismissed the service of the United States.*"

III. The proceedings, findings, and sentence in the foregoing case are approved, and Captain *Joab Wilkinson* ceases to be an officer of the Army from this date.

BY ORDER OF THE SECRETARY OF WAR:

L. THOMAS,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

